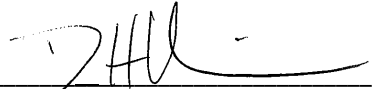


PLEASE TAKE NOTICE, that upon the accompanying memorandum of law; the Affidavit of LaTonya Sasser, and exhibits annexed thereto; and all prior pleadings and papers filed in this action, Defendants Credit Suisse (USA), Inc., and Credit Suisse Securities (USA) LLC (also improperly impleaded as “Credit Suisse First Boston Corporation”), will move this Court at United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, on such date and time as the Court sets, to dismiss the above-referenced action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: July 30, 2010
New York, New York

Respectfully submitted,

THOMPSON WIGDOR & GILLY LLP

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